

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 77-156

ORDER AMENDING CEASE AND DESIST ORDER NO. 76-53
WHICH REQUIRED THE GRANADA SANITARY DISTRICT TO
CEASE AND DESIST FROM DISCHARGING WASTES
CONTRARY TO REQUIREMENTS PRESCRIBED BY THE
CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD, SAN FRANCISCO BAY REGION

I. FINDINGS

The California Regional Water Quality Control Board, San Francisco Bay Region, finds that:

- A. On December 17, 1974, the Regional Board adopted Order No. 74-186 (NPDES No. CA0037478) prescribing waste discharge requirements for the discharge by the Granada Sanitary District, hereinafter referred to as the discharger.
- B. On July 15, 1975, the Regional Board adopted Order No. 75-40 to amend Order No. 74-186 to revise the compliance time schedule.
- C. On June 21, 1977, the Regional Board adopted Order No. 77-58 to further amend Order No. 74-186 to revise requirements and compliance time schedules.
- D. On May 4, 1976, the Regional Board adopted Order No. 76-53, a Cease and Desist Order, including a prohibition on additional discharges to the sewer system, which required the discharger to comply with waste discharge requirements according to a compliance time schedule.
- E. The requirements of Order No. 74-186, as amended, provides in part as follows:

"A. Effluent Limitations

- 1. The discharge of an effluent containing constituents in excess of the following limits is prohibited:

<u>Constituents</u>	<u>Units</u>	<u>30-Day Average</u>	<u>7-Day Average</u>	<u>Maximum Daily</u>	<u>Instan- taneous Maximum</u>
a. Chlorine Residual	mg/l	-	-	-	0.0
b. BOD	mg/l	30	45	60	-
	lbs/day	150	225	300	-
	kg/day	68	102	136	-
c. Suspended Solids	mg/l	30	45	60	-
	lbs/day	150	225	300	-
	kg/day	68	102	136	-

2. The arithmetic mean of values for BOD and Suspended Solids in effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of respective values for influent samples collected at approximately the same times during the same period (i.e. 85 percent removal).
3. The discharge of an effluent in excess of the following limits by more than the percentage indicated is prohibited:

<u>Constituent</u>	<u>Unit of Measurement</u>	<u>50% of time</u>	<u>10% of time</u>
Grease & Oil	mg/l	10	15
Settleable Solids	ml/l-hr	0.1	0.2

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B. Receiving Water Limitations

1. The discharge shall not cause the following limits to be exceeded in ocean waters after initial dilution:

<u>Constituents</u>	<u>Units</u>	<u>Maximum</u>
Final Toxicity Concentration	Toxicity units	0.05 "

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C. Discharge Prohibitions

1. Discharge within 1,000 feet offshore from the extreme low waterline and where the waste will not receive a minimum dilution ratio of 100:1 as it reaches the surface is prohibited.
2. Discharge of waste that will adversely affect waterscover rocky substrates is prohibited.
3. Waste shall be discharged a sufficient distance from areas designated as being of special biological significance to assure maintenance of natural water quality conditions in these areas."

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"D. Provisions

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2. The discharger shall comply with the following time schedules to assure compliance with specifications of this Order:
 - a. Items A.1.b. and c; A.2., A.3. (and A.9. and A.10. pertaining to A.3.) B.1., B.2., C.1., C.2., and C.3.:

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
Full Compliance	July 1, 1977	July 15, 1977

- b. Compliance with Effluent Limitation A.1.a.

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
Commence construction	April 1, 1975	April 15, 1975
Full Compliance	December 1, 1975	December 15, 1975 "

F. The requirements of Cease and Desist Order No. 76-53 provides, in part, as follows:

"C. The discharger shall comply with Board Order No. 74-186, as amended, for Effluent Limitations A.1.b, A.1.c., A.2., and A.3.; Receiving Water Limitations B.1., and B.2.; Discharge Prohibitions C.1., C.2., and C.3. and Provision D.2.a. in accord with the following time schedule:

<u>Task</u>	<u>Completion Date</u>
Submit plans and specifications for on-shore facilities to State Board	January 1, 1977
Advertise for bids on construction of on-shore facilities	April 1, 1977
Open bids for on-shore facilities	June 1, 1977
Start construction of on-shore facilities	July 15, 1977
Submit plans and specifications for off-shore outfall	August 1, 1977
Award contract for construction of off-shore facilities	December 1, 1977
Full Compliance	April 1, 1979 "

G. On March 15, 1977, the Regional Board adopted Resolution No. 77-3, a resolution regarding the Sewer Authority Mid-Coastside (SAM) regional wastewater facilities, which amended Resolution No. 76-9 adopted on May 6, 1976. Granada Sanitary District is a member of SAM. Resolution No. 77-3 includes the following:

1. Finding that the SAM project has been delayed because of factors beyond SAM's control.
2. Amended time schedule for the design, construction and completion of the SAM project.
3. Commendation to SAM for its actions towards implementation of a consolidated water quality management plan for San Mateo County Mid-Coastside area.

H. On August 15, 1977, the California Coastal Zone Conservation Commission, Central Coast Regional Commission, granted permit no. P-77-366 to the Sewer Authority Mid-Coastside (SAM) for construction of regional wastewater facilities, including Granada Sanitary District. The permit approved a 1.3 mgd treatment facility. The applicant (SAM) had requested a 2.0 mgd treatment facility. This has caused further delays in implementation of facilities to comply with this Board's requirements.

- I. Reports from the discharger and Regional Board inspections indicate that the discharger is violating or threatens to violate the requirements and time schedules listed in Findings E and F of this Order.
- J. Proposed amendments to the Federal Water Pollution Control Act (P.L. 92-500) presently before congress, contain provisions that, under certain conditions a waiver of secondary treatment limitations may be granted for certain deep ocean discharges. It is uncertain at this time, if the SAM project could qualify for such a waiver.
- K. Proposed revisions to the State Water Resources Control Board's Ocean Plan are expected to be adopted by January 1978. It is not anticipated that these revisions will substantially affect the discharge prohibitions or degree of treatment required in current Ocean Plan which are incorporated in the NPDES permit.
- L. Starting at 1:00 p.m. on Friday, December 9, 1977, in the Cabrillo Unified School District Offices, 498 Kelly Street, Half Moon Bay, after due notice to the discharger and other affected persons, a hearing panel of the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
- M. Upon the basis of the evidence received, the hearing panel recommended that the Regional Board issue a Cease and Desist Order against the discharger requiring that he comply with the aforesaid requirements immediately and in accord with a time schedule. The Regional Board has independently reviewed the record.
- N. The discharger is violating and threatening to violate the requirements and time schedules listed in Findings E and F of this Order.

II. IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to requirements listed in Findings E and F of this Order.
- B. The discharger shall comply with Board Order No. 74-186, as amended, for Effluent Limitations A.1.b. (BOD), A.1.c. (Suspended Solids), A.2. (BOD and Suspended Solids), and A.3. (grease and oil and settleable solids); Receiving Water Limitations B.1. (Final Toxicity Concentration); Discharge Prohibitions C.1., C.2. and C.3.; and provision D.2.a. in accordance with the following time schedule:

<u>Task</u>	<u>Completion Date</u>
1) Submit amended project report for staged construction of consolidated wastewater project (defer construction of Regional Treatment Plant)	March 15, 1978
2) Submit complete application to Coastal Commission for staged construction	February 15, 1978
3) Secure financing of local share	March 15, 1978
4) Obtain Coastal Commission Permit	April 24, 1978
5) Submit revised plans and specifications to State Water Resources Control Board	July 1, 1978

<u>Task</u>	<u>Completion Date</u>
<u>INTERCEPTORS/OUTFALL</u>	
6) Advertise for construction bids	September 1, 1978
7) Award construction contract	December 1, 1978
8) Completion of construction	June 1, 1980
9) Full compliance with requirements B.1., C.1., C.2., and C.3.	July 1, 1980

REGIONAL TREATMENT PLANT

- 10) Submit time schedule for compliance with requirements A.1.b., A.1.c., A.2., and A.3. Forthwith

- C. The discharger shall comply with Board Order No. 74-186, as amended for Effluent Limitation A.1.a. (chlorine residual) and provision D.2.b. in accordance with the following time schedule:

<u>Task</u>	<u>Completion Date</u>
1) Submit engineering report on means to assure continuous compliance	February 1, 1978
2) Full compliance	April 1, 1978

- D. The prohibition on additional discharges to the sewer system contained in Order No. 76-53 shall remain in full force and effect.

- E. This Board will consider the partial removal of the prohibition of additional discharges and the allowance of a specified number and type of additional discharges to the sewer system by dischargers who did not discharge waste into the system before May 4, 1976 when the discharger demonstrates to the Board that they have forthwith achieved and completed all tasks in any one of the following sections:

1. Submit revised plans and specifications to implement consolidated wastewater project (SAM).
2. Award construction contract(s) for interceptors and/or outfall.
3. Comply with Discharge Prohibitions C.1., C.2. and C.3.

The District should submit to the Board adequate documentation of completion of any one of these tasks at least forty (40) days prior to the Board meeting at which they are requesting consideration for partial or complete removal of the prohibition. If the Board determines that the District has forthwith achieved and completed all tasks in any section and that compliance with other limitations and time schedules has not deteriorated, the Board will partially remove said prohibition and will allow the District additional discharges sufficient to serve those proposed projects for which the District has received and processed all documents required by the District for issuance of a sewer connection permit.

The Board will consider adding significant tasks not specified above as they become apparent which represent a measure of substantial progress by the District as additional basis for the partial removal of this prohibition and allowance of additional discharges to the sewer system. Further, the Board may consider the complete removal of this prohibition upon the effective implementation of all items above, and a demonstration of substantial progress toward compliance with this Order.

- F. The Granada Sanitary District is required to submit to the Regional Board by the first day of every month, beginning January 1, 1978, a report, under penalty of perjury, on progress toward compliance with this Order. If noncompliance or threatened noncompliance is reported, the reasons for noncompliance and an estimated completion date shall be provided.
- G. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take appropriate enforcement actions against the discharger, including injunction and civil monetary remedies, if appropriate.
- H. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on December 20, 1977.

FRED H. DIERKER
Executive Officer